

Message Text

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ACTION OES-07

INFO OCT-01 EUR-12 EA-10 ISO-00 ACDA-12 AGRE-00 AID-05
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DLOS-09
DODE-00 DOTE-00 EB-08 EPA-01 SOE-02 DOE-11 FMC-01
TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 L-03
NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-05 PRS-01
SP-02 SS-15 USIA-06 /147 W
-----106699 231048Z /17

P R 230805Z JAN 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC PRIORITY 4562
INFO AMEMBASSY OTTAWA

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E.O. 11652: NA
TAGS: EFIS, JA, OCON
SUBJECT: RENEGOTIATION OF THE INTERNATIONAL CONVENTION FOR THE HIGH SEAS
FISHERY OF THE NORTH PACIFIC OCEAN

BEGIN SUMMARY: U.S.G. REACHED AGREEMENT WITH JAPAN AND CANADA ON
SUBSTANCE OF NEW REGULATORY REGIME FOR JAPANESE HIGH SEAS SALMON
FISHERY IN NORTH PACIFIC. AGREEMENT INVOLVES SUBSTANTIAL NEW
AREA CLOSURES FOR JAPANESE LAND-BASED AND MOTHERSHIP SALMON
FISHERIES BOTH INSIDE AND OUTSIDE U.S. FISHERY CONSERVATION ZONE
(FCZ). DELEGATION HAS AGREED TO MEET WITH JAPAN AND CANADA
FEBRUARY 7-8 IN VANCOUVER, CANADA TO RESOLVE RELATED ISSUES, IN-
CLUDING ENFORCEMENT, AND DRAFT DETAILS OF AGREEMENT. ANTICIPATE
LIFTING NOTICE OF INTENT TO TERMINATE CONVENTION IMMEDIATELY AFTER
VANCOUVER SESSION -- END SUMMARY.

1. LARGE GOJ DELEGATION WAS HEADED BY AKIRA MATSUURA, DIRECTOR-
GENERAL OCEANIC FISHERY DEPARTMENT OF THE FISHERY AGENCY OF JAPAN.
SESSION BEGAN JANUARY 17 WITH DETAILED EXPLANATION BY GOJ OF
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COUNTERPROPOSAL TO U.S. DRAFT PROTOCOL. U.S.
PROPOSAL, WHICH MOVED EXISTING ABSTENTION LINE WEST FROM 175
DEGREES WEST LONGITUDE TO 170 DEGREES EAST LONGITUDE, WAS FORMALLY
PRESENTED TO GOJ PRIOR TO INITIAL RENEGOTIATION SESSION HELD
OCTOBER 24-28 IN ANCHORAGE. GOJ COUNTERPROPOSAL, CABLED TO
WASHINGTON PRIOR TO DEPARTURE OF U.S. DEL FOR TOKYO, PROVIDED
FOR MOVEMENT OF PORTION OF ABSTENTION LINE TO 180 DEGREES.

HOWEVER, GOJ PROPOSAL LEFT LARGE AREAS OPEN TO THE JAPANESE MOTHERSHIP FLEET INSIDE AND OUTSIDE U.S. FCZ AND CONTAINED NO RESTRICTION ON LANDBASED FLEET. U.S. SCIENTISTS VIEWED TOTAL PROTECTION PROVIDED NORTH AMERICAN SALMON UNDER GOJ PROPOSAL AS ESSENTIALLY NO MORE EFFECTIVE THAN THAT PROVIDED UNDER 1977 EXISTING TIME/AREA CLOSURES. U.S. OPENING STATEMENT WAS SHARPLY CRITICAL OF GOJ PROPOSAL AND STRESSED U.S. CONCERNS OVER WIDE GAP SEPARATING POSITIONS OF BOTH COUNTRIES. PART OF INITIAL SESSION WAS ALSO DEVOTED TO DEBATE ON SCIENTIFIC BASIS OF U.S. PROPOSAL, WITH GOJ STRONGLY DENYING THAT INTERCEPTIONS OF NORTH AMERICAN SALMON WEST OF EXISTING ABSTENTION LINE WERE SIGNIFICANT ENOUGH TO JUSTIFY FURTHER RESTRICTIONS ON JAPANESE MOTHERSHIP AND LANDBASED FISHERIES. U.S. RESPONDED WITH EXHAUSTIVE AND GENEROUSLY DOCUMENTED SUMMATION OF SCIENTIFIC BASIS FOR SIGNIFICANT NEW RESTRICTIONS ON JAPANESE SALMON FISHERY WEST OF EXISTING ABSTENTION LINE.

2. U.S. DEL INITIALLY SOUGHT TO BRIDGE GAP THROUGH A "PHASE IN" TO U.S. POSITION OVER FOUR OR FIVE YEAR PERIOD. HOWEVER, GOJ CANDIDLY OBSERVED THAT IRRESPECTIVE OF WHAT MIGHT ACTUALLY OCCUR OVER NEXT FIVE YEARS, SUCH AN AGREEMENT WAS ALIEN TO JAPANESE CULTURAL AND PSYCHOLOGICAL OUTLOOK, AND WOULD CREATE ADMINISTRATIVE AND FINANCIAL COMPLICATIONS DUE TO OBLIGATION OF GOJ TO PROVIDE FINANCIAL RELIEF TO DISPLACED ELEMENTS OF THIS FISHERY. INITIAL GOJ ARGUMENTS WERE ALSO MARKED BY INSISTENCE THAT SIGNIFICANT CONCESSIONS ON SALMON ISSUE WOULD SERIOUSLY PRE-LIMITED OFFICIAL USE

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JUDICE GOJ-SOVIET NEGOTIATIONS SLATED TO RESUME MID-FEBRUARY. U.S. STRESSED VIEW THAT STATUS OF SOVIET NEGOTIATIONS SHOULD NOT CONTINUE TO STALL PRESENT NEGOTIATION. U.S. NOTED THAT AS PROVISIONAL EXTENSION OF TREATY WAS NOT POSSIBLE UNDER U.S. LAW, U.S. MUST DECIDE BY FEBRUARY 10 WHETHER TO TERMINATE EXISTING CONVENTION AND EMPHASIZED THAT ALL JAPANESE SALMON FISHING INSIDE U.S. FCZ WOULD HAVE TO CEASE IF INPFC TREATY WAS TERMINATED. CANADIAN DEL., WHILE GENERALLY SILENT, DID PROVE SUPPORTIVE ON SEVERAL OCCASIONS DURING NEGOTIATION.

3. DESPITE LARGE GAP IN INITIAL NEGOTIATING POSITION, GOJ DID EXPRESS DESIRE TO COMPLETE NEGOTIATIONS IN CONTEXT OF INPFC, REPEATING NEED TO BRIDGE GAP BETWEEN POSITIONS OF BOTH COUNTRIES AT PRESENT SESSION. SUBSTANTIVE PROGRESS WAS ACHIEVED IN SMALL INFORMAL NEGOTIATING SESSIONS WHICH BEGAN ON AFTERNOON OF JANUARY 18, AND FINAL AGREEMENT WAS REACHED JANUARY 22. KEY INDUSTRY AND REGIONAL COUNCIL MEMBERS OF U.S. DEL ARE PLEASE WITH SUBSTANCE OF AGREEMENT, WHICH PROVIDES SUBSTANTIALLY GREATER PROTECTION FOR U.S. SALMON THAN WOULD RESULT FROM SIMPLE CLOSURE OF U.S. FCZ TO JAPANESE SALMON FISHERY.

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NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-05 PRS-01
SP-02 SS-15 USIA-06 /147 W
-----106749 231047Z /21

P R 230805Z JAN 78
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TO SECSTATE WASHDC PRIORITY 4563
INFO AMEMBASSY OTTAWA

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4. DRAFTING OF ACTUAL AGREEMENT, WHICH IS TO TAKE FORM OF AMENDMENT TO EXISTING TRILATERAL TRATY BETWEEN THE UNITED STATES, CANADA AND JAPAN, WILL BE UNDERTAKEN AT SPECIAL MEETING OF ALL THREE MEMBER GOVERNMENTS IN VANCOUVER FEBRUARY 7-8. EXPECTED SATISFACTORY PROGRESS WILL ENABLE U.S. TO LIFT NOTICE OF INTENT TO TERMINATE TREATY ON FEBRUARY 9.

5. SUBSTANCE OF AGREED MEASURES ON SALMON AS FOLLOWS:

A. LANDBASED FISHERY: NO FISHING EAST OF 175 DEGREES EAST LONGITUDE.
B. MOTHERSHIP FISHERY: NO FISHING IN ALL AREAS OF THE FCZ EAST OF 175 DEGREES EAST LONGITUDE; NO FISHING IN THOSE AREAS OUTSIDE THE U.S. ZONE EAST OF 175 DEGREES EAST LONGITUDE EXCEPT NORTH OF 56 DEGREES NORTH LATITUDE BETWEEN 175 DEGREES EAST AND 175 DEGREES WEST LONGITUDES AFTER 25 JUNE; NO FISHING IN US FCZ WEST OF 175 DEGREES EAST LONGITUDE BEFORE JUNE 10; NO FISHING IN THOSE AREAS OUTSIDE U.S. FCZ BETWEEN 170 DEGREES EAST LONGITUDE AND 175 DEGREES EAST LONGITUDE UNTIL JUNE 1. IN ADDITION GOJ
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HAS AGREED TO LIMIT ITS EFFORT IN THE AREA OF BERING SEA

NORTH OF 56 DEGREES NORTH LATITUDE AND WEST OF 180 DEGREES
LONGITUDE TO 22 FLEET DAYS AND EAST OF 180 DEGREES LONGI-
TITUDE TO 31 FLEET DAYS.

6. WHILE BOTH SIDES HAVE ACKNOWLEDGED THE LIKELIHOOD OF "PRESS
LEAKS", U.S. HAS AGREED NOT TO OFFICIALLY ACKNOWLEDGE TERMS OF NEW
SALMON MEASURES UNTIL ENTIRE AGREEMENT IS COMPLETED.

7. MEMBERS OF U.S. DEL MEETING WITH GOJ AND GOJ OFFICIALS ON
JAN 23 TO IDENTIFY REMAINING ISSUES, I.E. ENFORCEMENT, PERMITS,
SCIENCE, AND TO DISCUSS AGREEMENT FORMAT IN ORDER THAT FEBRUARY
7-8 MEETING WILL BE ABLE TO QUICKLY COME TO GRIPS WITH THE TASK
OF REWRITING INPFC.
MANSFIELD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, FISHERIES, OCEANS, MEETINGS, NEGOTIATIONS, FISHING LIMITS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TOKYO01106
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780033-0852
Format: TEL
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780132/aaaabatf.tel
Line Count: 184
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6af324e1-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3728411
Secure: OPEN
Status: NATIVE
Subject: RENEGOTIATION OF THE INTERNATIONAL CONVENTION FOR THE HIGH SEAS FISHERY OF THE NORTH PACIFIC OCEAN BEGIN
SUMMARY: U.S.G. REACHED AGREEMENT WITH JAPAN
TAGS: EFIS, OCON, JA
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/6af324e1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014